

103^D CONGRESS
1ST SESSION

H. R. 3633

To reform the House of Representatives, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 22, 1993

Mr. CRAPO (for himself, Mr. HASTERT, Mr. HANSEN, Mr. HUTCHINSON, Mr. SANTORUM, Mr. ARMEY, and Mr. QUINN) introduced the following bill; which was referred jointly to the Committees on Rules and Government Operations

A BILL

To reform the House of Representatives, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Truth in Voting Act
5 of 1993”.

1 **SEC. 2. ADJUSTMENT OF APPROPRIATIONS COMMITTEES**

2 **SECTION 302 AND SECTION 602 ALLOCATIONS**

3 **AND SUBALLOCATIONS; ADJUSTMENT OF DIS-**

4 **CRETIONARY SPENDING CAPS.**

5 (a) SECTION 302 ALLOCATIONS.—Section 302(e) of
6 the Congressional Budget Act of 1974 is amended by in-
7 serting “(1)” before “At” and by adding at the end the
8 following new paragraphs:

9 “(2) If—

10 “(A) a general appropriation bill as reported by
11 the Committee on Appropriations of the House of
12 Representatives is amended and that bill as passed
13 by the House reduces the amount appropriated for
14 any program, project, or activity from the amount
15 appropriated for that program, project, or activity in
16 that bill as so reported; and

17 “(B) that bill as passed by the Senate reduces
18 the amount appropriated for the same program,
19 project, or activity from the amount appropriated for
20 that program, project, or activity in that bill as re-
21 ported initially in the House of Representatives;

22 then, upon the passage of that bill by both Houses of Con-
23 gress, the suballocations for that fiscal year made by each
24 Committee on Appropriations under subsection (b)(1) to
25 the subcommittee with jurisdiction over that measure shall
26 be reduced by the sum of the lesser amount of reductions

1 made for each such program, project, or activity by the
2 House of Representatives or the Senate, as the case may
3 be, and that committee shall report to its House—

4 “(i) an adjusted suballocation for that sub-
5 committee with the appropriate reductions in levels
6 of total new budget outlays and total new budget au-
7 thority; and

8 “(ii) an adjusted allocation for the committee
9 that is reduced by the reductions in new budget out-
10 lays and new budget authority made under clause
11 (i).

12 “(3) FURTHER ADJUSTMENTS OF APPROPRIATIONS
13 COMMITTEES ALLOCATIONS AND SUBALLOCATIONS.—
14 Upon the enactment of any rescission bill, the
15 suballocations for that fiscal year made by each Commit-
16 tee on Appropriations under subsection (b)(1) to any sub-
17 committee with jurisdiction over that bill shall be reduced
18 by the sum of the rescissions contained in that bill over
19 which it has jurisdiction, and that committee shall report
20 to its House—

21 “(A) an adjusted suballocation for that sub-
22 committee with the appropriate reductions in levels
23 of total new budget outlays and total new budget au-
24 thority; and

1 “(B) an adjusted allocation for the committee
2 that is reduced by the reductions in new budget out-
3 lays and new budget authority made under subpara-
4 graph (A).”.

5 (b) SECTION 602 ALLOCATIONS.—Section 602 of the
6 Congressional Budget Act of 1974 is amended by adding
7 at the end the following new subsections:

8 “(f) ADJUSTMENTS OF APPROPRIATIONS COMMIT-
9 TEES ALLOCATIONS AND SUBALLOCATIONS.—If—

10 “(1) a general appropriation bill as reported by
11 the Committee on Appropriations of the House of
12 Representatives is amended and that bill as passed
13 by that House reduces the amount appropriated for
14 any program, project, or activity from the amount
15 appropriated for that program, project, or activity in
16 that bill as so reported; and

17 “(2) that bill as passed by the Senate reduces
18 the amount appropriated for the same program,
19 project, or activity from the amount appropriated for
20 that program, project, or activity in that bill as re-
21 ported initially in the House of Representatives;

22 then, upon the passage of that bill by both Houses of Con-
23 gress, the suballocations for that fiscal year made by each
24 Committee on Appropriations under subsection (b)(1) to
25 the subcommittee with jurisdiction over that measure shall

1 be reduced by the sum of the lesser amount of reductions
2 made for each such program, project, or activity by the
3 House of Representatives or the Senate, as the case may
4 be, and that committee shall report to its House—

5 “(A) an adjusted suballocation for that sub-
6 committee with the appropriate reductions in levels
7 of total new budget outlays and total new budget au-
8 thority; and

9 “(B) an adjusted allocation for the committee
10 that is reduced by the reductions in new budget out-
11 lays and new budget authority made under subpara-
12 graph (A).

13 “(g) FURTHER ADJUSTMENTS OF APPROPRIATIONS
14 COMMITTEES ALLOCATIONS AND SUBALLOCATIONS.—
15 Upon the passage of any rescission bill by both Houses
16 of Congress, the suballocations for that fiscal year made
17 by each Committee on Appropriations under subsection
18 (b)(1) to any subcommittee with jurisdiction over that bill
19 shall be reduced by the sum of the rescissions contained
20 in that bill over which it has jurisdiction, and that commit-
21 tee shall report to its House—

22 “(1) an adjusted suballocation for that sub-
23 committee with the appropriate reductions in levels
24 of total new budget outlays and total new budget au-
25 thority; and

1 “(2) an adjusted allocation for the committee
2 that is reduced by the reductions in new budget out-
3 lays and new budget authority made under para-
4 graph (1).”.

5 (c) CBO TRACKING.—Section 202 of the Congres-
6 sional Budget Act of 1974 is amended by adding at the
7 end the following new subsection:

8 “(i) SCOREKEEPING ASSISTANCE.—To facilitate
9 compliance by the Committees on Appropriations with sec-
10 tions 302(e)(2) and 602(f), the Office shall score all gen-
11 eral appropriation measures as passed the House of Rep-
12 resentatives and as passed the Senate and have such
13 scorecard published in the Congressional Record.”.

14 (d) ADJUSTMENT OF DISCRETIONARY SPENDING
15 LIMITS.—Section 601(a)(2) of the Congressional Budget
16 Act of 1974 is amended by inserting before the period at
17 the end the following: “and by the amounts of any adjust-
18 ments pursuant to section 602(f)(2)(B) and section
19 602(g)(2)”.

20 **SEC. 3. PROHIBITION OF PROXY VOTING IN COMMITTEES.**

21 Clause 2(f) of rule XI of the Rules of the House of
22 Representatives is amended to read as follows:

23 “(f) No vote by any member of any committee or sub-
24 committee with respect to any measure or matter may be
25 cast by proxy.”.

1 **SEC. 4. OPEN COMMITTEE MEETINGS.**

2 Rule XI of the Rules of the House of Representatives
3 is amended—

4 (1) in the first sentence of clause 2(g)(1), by in-
5 serting “because disclosure of matter to be consid-
6 ered would endanger the national security or would
7 tend to defame, degrade, or incriminate any person”
8 after “public” the second place it appears;

9 (2) in clause 3(d), by striking “is a privilege
10 made available by the House and”; and

11 (3) by striking clause 3(e) and inserting the fol-
12 lowing:

13 “(e) Whenever a hearing or meeting conducted by
14 any committee of the House is open to the public, those
15 proceedings shall be open to television broadcast, radio
16 broadcast, and still photography, or by any of such meth-
17 ods of coverage. No committee or subcommittee chairman
18 may limit the number of television or still cameras below
19 2 representatives from each medium.”.

20 **SEC. 5. APPLICATION OF FREEDOM OF INFORMATION ACT**
21 **TO THE CONGRESS.**

22 The Congress, and the instrumentalities of Congress,
23 shall be subject to section 552 of title 5, United States
24 Code (commonly referred to as the “Freedom of Informa-
25 tion Act”) to the same extent that Executive agencies (as

1 defined by section 105 of title 5, United States Code) are
2 subject to such section 552.

3 **SEC. 6. MISCELLANEOUS AMENDMENTS TO THE RULES OF**
4 **THE HOUSE OF REPRESENTATIVES.**

5 (a) 5-DAY WAITING PERIOD.—(1) Clause 2(l)(6) of
6 rule XI of the Rules of the House of Representatives is
7 amended by striking “third” and inserting “fifth”.

8 (2) The first sentence of clause 2(a) of rule XXVIII
9 of the Rules of the House of Representatives is amended
10 by striking “third” and inserting “fifth”.

11 (b) TWO-THIRDS REQUIRED TO APPROVE RESTRIC-
12 TIVE RULES.—Clause 4 of rule XI of the Rules of the
13 House of Representatives is amended by adding at the end
14 the following new paragraph:

15 “(e) It shall not be in order to consider any resolution
16 reported from the Committee on Rules providing for the
17 consideration of any bill or resolution otherwise subject to
18 amendment under House Rules if that resolution limits
19 the right of Members to offer germane amendments to
20 such bill, unless that resolution is agreed to by the affirm-
21 ative vote of at least two-thirds of the Members voting,
22 a quorum being present.”.

23 (c) BAN ON KING-OF-THE-HILL RULES.—The last
24 sentence of clause 4(b) of rule XI of the Rules of the
25 House of Representatives is amended by inserting before

1 the period the following: “; nor shall it report any rule
2 for the consideration of any measure commonly known as
3 a ‘king-of-the-hill’ rule”.

4 (d) BAN ON SELF-EXECUTING RULES.—Clause 4 of
5 rule XI of the Rules of the House of Representatives (as
6 amended by subsection (b)) is amended by adding at the
7 end the following new paragraph:

8 “(f) It shall not be in order to consider any order
9 of business resolution reported from the Committee on
10 Rules which provides that, upon the adoption of such reso-
11 lution, the House shall be considered to have automatically
12 adopted a motion (other than for the previous question),
13 amendment, or resolution, or to have passed a bill, joint
14 resolution, or conference report thereon.”.

15 (e) REPEAL OF RULE XLIX.—Rule XLIX of the
16 Rules of the House of Representatives is repealed.

17 (f) CONFERENCE COMMITTEES.—(1) Clause 3 of rule
18 XXVIII of the Rules of the House of Representatives is
19 amended by adding at the end the following new sentence:
20 “Their report shall not fund any program, project, or ac-
21 tivity at a level higher than that contained in the bill or
22 resolution as passed the House or as passed the Senate
23 and committed to the conference committee or fund any
24 program, project, or activity not contained in that bill or
25 resolution as passed the House or as passed the Senate.”.

1 (2) Rule XXVIII of the Rules of the House of Rep-
2 resentatives is amended by adding at the end the following
3 new clause:

4 “7. It shall not be in order in the House to consider
5 a conference report if that report would violate any motion
6 to instruct conferees that the House agreed to.”.

7 **SEC. 7. BUDGET ENFORCEMENT.**

8 (a) PRESIDENT’S BUDGET.—Paragraph (5) of sec-
9 tion 1105(a) of title 31, United States Code, is amended
10 to read as follows:

11 “(5) except as provided in subsection (b) of this
12 section—

13 “(A) estimated expenditures and proposed
14 appropriations for each function and
15 subfunction in the current fiscal year;

16 “(B) estimated expenditures and proposed
17 appropriations the President decides are nec-
18 essary to support the Government for each
19 function and subfunction in the fiscal year for
20 which the budget is submitted; and

21 “(C) a comparison of levels of estimated
22 expenditures and proposed appropriations for
23 each function and subfunction in the current
24 fiscal year and the fiscal year for which the
25 budget is submitted, along with the proposed

1 increase or decrease of spending in percentage
2 terms for each function and subfunction;”.

3 (b) CONGRESSIONAL BUDGET.—Section 301(e) of
4 the Congressional Budget Act of 1974 is amended by—

5 (1) inserting after the second sentence the fol-
6 lowing: “The starting point for any deliberations in
7 the Committee on the Budget of each House on the
8 concurrent resolution on the budget for the next fis-
9 cal year shall be the estimated level of outlays for
10 the current year in each function and subfunction.
11 Any increases or decreases in the Congressional
12 budget for the next fiscal year shall be from such es-
13 timated levels.”;

14 (2) striking paragraphs (2) and (3) and insert-
15 ing the following:

16 “(2) a comparison of levels for the current fis-
17 cal year with proposed spending for the subsequent
18 fiscal years along with the proposed increase or de-
19 crease of spending in percentage terms for each
20 function and subfunction;

21 “(3) information, data, and comparisons indi-
22 cating the manner in which, and the basis on which,
23 the committee determined each of the matters set
24 forth in the concurrent resolution, including infor-
25 mation on outlays for the current fiscal year and the

1 decisions reached to set funding for the subsequent
2 fiscal years;”;

3 (3) inserting “and” after the semicolon in para-
4 graph (7);

5 (4) striking paragraph (8); and

6 (5) redesignating paragraph (9) as paragraph
7 (8).

8 (c) CBO REPORT TO BUDGET COMMITTEES.—The
9 first sentence of section 202(f)(1) of the Congressional
10 Budget Act of 1974 is amended to read as follows: “On
11 or before February 15 of each year, the Director shall sub-
12 mit to the Committees on the Budget of the House of Rep-
13 resentatives and the Senate a report, for the fiscal year
14 commencing on October 1 of that year, with respect to
15 fiscal policy, including (A) estimated budget outlays in all
16 functions and subfunctions for appropriated accounts for
17 the current fiscal year and estimated budget outlays under
18 current law for all entitlement programs for the next fiscal
19 year, (B) alternative levels of total revenues, total new
20 budget authority, and total outlays (including related sur-
21 pluses and deficits), and (C) the levels of tax expenditures
22 under existing law, taking into account projected economic
23 factors and any changes in such levels based on proposals
24 in the budget submitted by the President for such fiscal
25 year.”.

1 **SEC. 8. ECONOMIC AND EMPLOYMENT IMPACT STATE-**
2 **MENTS.**

3 (a) PREPARATION.—The Comptroller General of the
4 United States shall prepare an economic and employment
5 impact statement, as described in subsection (b), to ac-
6 company each bill, resolution, or conference report re-
7 ported by any committee of the House of Representatives
8 or the Senate or considered on the floor of either House.

9 (b) CONTENTS.—Except as provided in subsection
10 (c), the economic and employment impact statement re-
11 quired by subsection (a) shall—

12 (1) state the extent to which enactment of the
13 bill, resolution, or conference report would result in
14 increased costs to the private sector, individuals, or
15 State and local governments; and

16 (2) include, at a minimum, a detailed assess-
17 ment of the annual impact of the bill, resolution, or
18 conference report (projected annually over a 5-year
19 period from its effective date, and, to the extent fea-
20 sible, expressed in each case in monetary terms)
21 on—

22 (A) costs to United States consumers;

23 (B) costs to United States business;

24 (C) national employment;

25 (D) the ability of United States industries
26 to compete internationally;

1 (E) affected State and local governments,
2 fiscal and otherwise;

3 (F) outlays and revenues by the Federal
4 Government as compared to outlays and reve-
5 nues for the same activity in the current fiscal
6 year (as reported by the Congressional Budget
7 Office); and

8 (G) impact on Gross Domestic Product.

9 (c) EXCEPTION.—The economic and employment im-
10 pact statement required by subsection (a) may consist of
11 a brief summary assessment in lieu of the detailed assess-
12 ment set forth in subsection (b) if preliminary analysis in-
13 dicates that the aggregate effect of the bill, resolution, or
14 conference report as measured by the criteria set forth in
15 subparagraphs (A) through (G) of subsection (b) is less
16 than \$100,000 or 1,000 jobs in national employment.

17 (d) STATEMENT WITH ALL LEGISLATION.—The eco-
18 nomic and employment impact statement required by this
19 section shall accompany each bill, resolution, or conference
20 report before such bill, resolution, or conference report
21 may be reported or otherwise considered on the floor of
22 either House.

23 (e) POINT OF ORDER.—

24 (1) RULE.—It shall not be in order in either
25 the House of Representatives or the Senate to con-

1 sider on the floor any bill, resolution, or conference
2 report, whether or not reported by any committee of
3 the House of Representatives or the Senate, unless
4 that bill, resolution, or conference report includes
5 the economic and employment impact statement re-
6 quired by this section.

7 (2) WAIVER.—A point of order made under this
8 subsection may be waived in the Senate by a two-
9 thirds affirmative vote of Senators, duly chosen and
10 sworn, and in the House of Representatives by a
11 two-thirds affirmative vote of Members, duly chosen
12 and sworn.

13 (f) EXECUTIVE REGULATIONS.—Each regulation and
14 proposed regulation promulgated by a Federal department
15 or executive agency shall be accompanied by an economic
16 and employment impact statement prepared, in accord-
17 ance with subsection (b), by the department or agency pro-
18 mulgating the regulation or proposed regulation. The eco-
19 nomic and employment impact statement shall be pub-
20 lished in the Federal Register together with such regula-
21 tion or proposed regulation.

22 (g) PROVISION FOR NATIONAL SECURITY EMER-
23 GENCY WAIVER.—

24 (1) CONGRESSIONAL ECONOMIC IMPACT STATE-
25 MENTS.—The Congress may waive the requirements

1 of subsections (a) through (d) at any time in which
2 a declaration of war is in effect, or in response to
3 a national security emergency at the request of the
4 President.

5 (2) EXECUTIVE REGULATIONS.—The President
6 may waive the requirements of subsection (f) at any
7 time in which a declaration of war is in effect, or in
8 response to a national security emergency as deter-
9 mined by the President in consultation with Con-
10 gress.

11 (h) REPEAL OF SENATE RULE.—Paragraph 11 of
12 rule XXVI of the Standing Rules of the Senate is repealed.

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